



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Valley Construction Company

File: B-258648

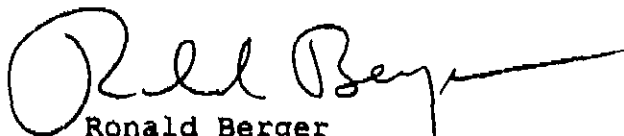
Date: October 20, 1994

DECISION

Valley Construction Company protests the rejection of its low bid and the cancellation of solicitation No. DACW21-94-B-0136 by the U.S. Army Corps of Engineers.

The Corps rejected Valley's bid on the grounds that its price was unreasonably high. After bid opening, however, Valley sent the contracting officer a modification to its bid which lowered its price, which the contracting officer did not consider. Valley asserts that since the modification made its bid more favorable to the government, it should have been considered. Federal Acquisition Regulation § 14.304-1(e) states that "... a late modification of an otherwise successful bid" (emphasis added) may be considered at any time. Valley's bid was never considered a "successful bid" by the contracting officer because it was unreasonably high. Therefore, the regulation does not apply.

Accordingly, the protester does not set forth a valid basis for protest. The protest is dismissed.


Ronald Berger
Associate General Counsel